Remarks

Claims 1-46 have been canceled. Claim 47 has been amended. New claims 48-55 have been added. Applicants appreciate the indication that claim 47 would be allowable if re-written to include the limitations of the base claim and intervening claims.

Claim Rejections - 35 USC 112

Claims 1-7, 9-11, 17, 20, 25, 28, 30 and 39-46 stand rejected based on the contention that they are supported by an inadequate written description and/or are not enabled.

It is indicated in the Office Action that the enablement and written description requirements have been met for treating rheumatoid arthritis and Lupus Erythematodes by administration of a composition comprising phebestin, as in previously presented claim 47 if rewritten to include the limitations of the base and intervening claims. While Applicants respectfully disagree that the full scope of the original claims do not meet the enablement and written description requirements of 35 USC § 112, Applicants have herewith canceled claims 1-7, 9-11, 17, 20, 25, 28, 30 and 39-46 and present amended claim 47 to expedite allowance of the present application. In connection with the amendment to claim 47, Applicants believe PAQ-22 should be included in the allowable claims and have accordingly recited it in the amended claim listing presented herewith. In this regard, Applicants respectfully submit that PAQ-22 was known to those skilled in the art at the time the present application was filed. In support of this, the Examiner's attention is courteously drawn to the enclosed Abstract of Kakutha, et al., (Heterocyles (2001) Vol. 55, No. 8, pp 1433-1438). As can be seen from this reference, the term PAQ-22 was known in the art prior to the filing date of the instant application as referring to the compound 3-(2,6-diethylphenyl)- 2,4(1H,3H)-quinazolinedione. This reference also confirms that PAQ-22 is an aminopeptidase inhibitor. Applicants note that the instant specification describes that PAQ-22 is particularly preferred as the N-phenyl homophthalimide (see paragraph 12 of the publication of the instant application, published as U.S. Patent Publication No. 20060211602). Thus, since it is axiomatic that one should not provide a description in the

specification of that which is known to one skilled in the art, Applicants submit one skilled in the art would conclude that Applicants were in possession of the invention as presently claimed at the time the instant application was filed. New claims 48-55 are directed to specific embodiments of amended claim 47 and Applicants therefore submit that they are also in condition for allowance.

Claim Rejections under 35 USC 102(b)

Claims 20, 25, 28, 30, 39 and 40 were rejected under 35 USC 102(b) as anticipated by Ansorge et al., (WO 01/89569). However, the amendments presented herewith cancelling these claims to expedite allowance of the present application renders this rejection moot.

Claim Rejections under 35 USC 102(e)

Claims 20, 25, 28, 30 and 39 were rejected under 102(e). However, the amendments presented herewith cancelling these claims to expedite allowance of the present application renders this rejection moot.

Double Patenting

With respect to the rejections based on the provisional obviousness-type double patenting rejections, Applicants respectfully point out that these rejections were not applied to claim 47. Thus, the amendments presented herewith made to expedite allowance of the present application also renders these rejections moot.

Conclusion

In view of the foregoing, Applicants respectfully submit that all the pending claims are now in condition for allowance. The Examiner is thus requested to remove the rejections and allow all the claims. Applicants herewith request a three-month extension of time to file this response. A check for the required fee is enclosed. Any additional fees due may be charged (or any overpayments credited) to Deposit Account no. 08-2442.

Respectfully submitted,
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Novel Specific Puromycin-sensitive Aminopeptidase Inhibitors: 3-(2,6-Diethylphenyl)-2,4(1H,3H)-quinazolinedione and N-(2,6-Diethylphenyl)-2-amino-4H-3,1-benzoxazin-4-one.

Accession number;01A0812018

Title;Novel Specific Puromycin-sensitive Aminopeptidase Inhibitors: 3-(2,6-Diethylphenyl)-2,4(1H,3H)-quinazolinedione and N-(2,6-Diethylphenyl)-2-amino-4H-3,1-benzoxazin-4-one.

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Figure&Table&Reference;FIG.2, TBL.1, REF.15

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Abstract;Novel specific PSA(puromycin-sensitive aminopeptidase) inhibitors, 3-(2,6-diethylphenyl)-2,4(1H,3H)-quinazolinedione (3: PAQ-22) and N-(2,6-diethylphenyl)-2-amino-4H-3,1-benzoxazin-4-one (4: PAZOX-22), were designed and synthesized. These compounds are chemically much more stable than the known specific PSA inhibitor PIQ-22 (2), and the enzyme specificity and inhibitory activity to PSA are similar to those of 2. The inhibitory manner of these compounds was found to be a non-competitive mode by Lineweaver-Burk plot analysis. (author abst.)

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